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ABSTRACT

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JUVENILE COURT COMMITMENTS: THE ROLE OF ORGANIZATIONAL FACTORS

Michael Sosin

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Juvenile Court Commitments: The Role of Organizational Factors

by

Michael Sosin

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ABSTRACT

This paper examines the impact of organizational factors on the rate at which juvenile courts commit referred youth to institutions. Analyzing a national sample, the paper demonstrates that both the rate at which cases are handled informally and the rate at which judges commit those youth who appear before them independently influence the overall commitment rate. It also discovers determinants of each of these two components of the commitment rate. The data support a view that stresses social and power processes, and not administrative rationality. Implications of the results for the analysis of juvenile courts and of public legal institutions in general are presented.

Juvenile Court Commitments: The Role of Organizational Factors

Commitments to institutions are of great interest to students of juvenile courts, and studies of this phenomenon are plentiful. Most of these works attempt to determine how commitment decisions are influenced by characteristics of individual offenders. Commonly studied traits include past and present offenses, family background, race, sex, and class (Terry, 1967; Scarpitti and Stephenson, 1970; Barton, 1976; Cohen and Kluegel, 1978).

Although the individual-level studies are useful, they are not the whole story. Juvenile courts are usually bound by few specific statutes or appellate decisions that might dictate the criteria for commitment of offenders, and the likely result of such legal discretion is the substitution of local predilections for state and national standards (Platt, 1969; Besharov, 1974; Levin and Sarri, 1974; National Assessment of Juvenile Corrections, 1976). One might thus expect local organizational arrangements to have an effect on commitments above and beyond that expected on the basis of characteristics of the individuals courts confront. This effect may be interactive with offender characteristics, but it may even be expressed in court variations in commitment rates independent of individuals.

Accordingly, this paper searches for organizational causes of variation in commitment rates across a large sample of juvenile courts. It argues that commitment rates must be conceptualized as a two-step process, and it discovers factors that explain a large percentage of the variance in the rates of handling youth at each step. In addition, it notes the implications of the empirical results for an understanding of juvenile courts and for theoretical discussions of discretion in public legal institutions.

THEORY AND HYPOTHESES

One straightforward way of locating the determinants of variation in commitment rates across juvenile courts involves correlating some plausible explanatory variables with the overall rates at which youth who face courts are committed. However, this approach is not sufficient because it ignores the fact that the commitment decision (from the perspective of the juvenile court) is best viewed as a two-step process. Youth first face an "intake" interview conducted by a probation officer, intake worker, prosecutor, or even secretary, and often the interview ends with an informal disposition that avoids further penetration into the court system and the possibility of commitment.

For juveniles who pass beyond the intake stage and are dealt with formally, an adjudication and disposition hearing is next. (Adjudication and disposition should not be separated analytically, because they are one hearing in most courts; in addition, because so few youth who face a hearing are adjudicated not guilty, separating the two stages would not be useful.) Judges may commit juveniles to institutions only at this point, if they do not impose other dispositions such as dismissal, probation, or treatment in the community.

It is plausible that decisions made at each point independently influence the commitment rate. Because judges cannot commit juveniles who do not appear before them, a higher rate of informal handling might reduce the commitment rate by limiting the pool of formal cases, while decisions made by judges also affect the commitment rate. The first hypothesis, which summarizes this possibility, is thus a necessary first research step.

Hypothesis 1. The rate at which juvenile courts commit youth to institutions depends on both the rates at which cases are handled informally and the rates at which judges commit those youth who come before them; the higher the percentage of cases handled informally, the lower the commitment rate, and the higher the percentage of juveniles committed at formal hearings, the higher the commitment rate.

Whether this first hypothesis proves correct or not, it is important to next consider determinants of both the rate of informal handling and the rate at which formal cases are committed to institutions. An attempt to analyze commitment rates without such a distinction would run the risk of losing much valid information concerning the structuring of these two distinct stages. In developing hypotheses concerning organizational causes for differences in the two rates, two of the more common organizational explanations for variation in commitment rates must be ruled out.

First, a number of writers have argued that the rate of informal handling and the rate at which formal cases are committed vary depending on whether the court adopts the parens patriae orientation, the family treatment orientation, the crime control orientation, the due process orientation, or the organizational maintenance orientation (Allen, 1964; Packer, 1964; Griffiths, 1970; Feeley, 1973; Schultz, 1973). Sosin (1978a), however, indicates that juveniles court orientations do not significantly affect the rate of commitment of formal cases across a sample of juvenile courts, while a parallel, unreported analysis yields similar results when the rate of informal handling is the dependent variable. Of course, this research does not prove that discretionary decision-making is never structured by rational goals. Rather, the point is

that, given the ambiguous nature of current juvenile court philosophies, no one orientation suggests a clear model of handling juveniles that may be carried out in daily operations.

A second common perspective suggests that rates of handling youth are related to community characteristics. For example, it can be argued that a large population, a high degree of urbanization, or a high crime rate result in an overload of juvenile courts, and that informal handling is increased as a response to the high workloads entailed (Blumberg, 1967). In addition, because this screening implies that only the more serious cases come to a formal hearing, juvenile courts in large, urban, high-crime centers may experience higher rates of formal commitments. A high crime rate may also increase environmental pressures to handle youth more severely, further increasing the commitment rate. However, attempts to correlate these community characteristics (and others as well) with rates of handling youth as part of the present paper yield no statistically significant relationships and no clear patterns. Perhaps these results occur because juvenile courts are relatively insulated from their environments and need not react to external pressures to speed cases through the court or to commit more youth. Such apparent freedom from constraints, while not commonly stated in theoretical discussions of juvenile courts, is implied in other empirical work (Hasenfeld, 1976).

Given the failure of these perhaps "rational" system explanations of the rates at which courts handle juvenile offenders, the analysis next must turn to more "natural" systems views (Gouldner, 1959) in the search for correlates of commitment. Some thought reveals that two views in particular, the power view and the social view within the organizational literature, suggest

hypotheses that are both theoretically defensible and useful in terms of what is known or believed about juvenile courts.

The Power View

The power perspective on organization (Tullock, 1965; Crozier, 1964; Downs, 1967) generally assumes that the behavior of complex units is the result of day-to-day bargaining among individuals who are primarily oriented toward self-interest. Self-interest, in turn, seems to be a function of the formal organizational positions in which individuals are placed; in order to improve one's own position it is common to work for the enhancement of the unit or hierarchical level to which one is attached, and success in this endeavor is closely tied to the power inherent in the organizationally defined position. For example, university faculty bargin for resources on a departmental basis, and larger rewards often accrue to those units with the most prestige and power (Pfeffer and Salancik, 1974).

The sources of power and the interests of an organizationally defined position are themselves closely bound up with the relation of an organization to its environment. Of particular importance is the degree to which organizational leadership positions are vulnerable to outside influences. For example, the different vulnerabilities involved in owner-run and manager-run corporations, or in private and public service organizations, have been shown to affect organizational behavior (Berle and Means, 1932; Rushing, 1976).

Two hypotheses are suggested by the power view:

Hypothesis 2. The greater the influence at intake of the agency that refers the case to court, the lower the rate at which cases are handled informally and the higher the rate at which judges commit those cases that come before them.

Hypothesis 3. Juvenile courts with elected judges handle fewer cases informally and commit a higher proportion of formal cases; juvenile courts with appointed judges handle more cases informally and commit a smaller proportion of formal cases.

Hypothesis 2, consistent with the view that self-interest is expressed in terms of occupational position, assumes that the referral agency (usually the police) lobbies for a low informal handling rate and a large number of commitments; such court action legitimates the original decision to refer and thus improves the prestige of the referral agency. In line with the suggestion of the power view--that the ability of a group to change behavior depends on organizational position--the hypothesis posits that the success of such lobbying is directly related to the amount of influence the referral source has in court. Influence at the intake stage is assumed to be most relevant because only activity at this stage occurs early enough in the court process to alter court dispositions (Sosin, 1978b).[1]

The second hypothesis within the power perspective considers the role of vulnerabilities to external pressures in the manner in which judges act. Judges, who have a large amount of control over both the intake stage and the formal hearing, can be elected and maintained in office in different ways, and such differences may generate sensitivities to different pressures. Previous work suggests that elected judges are vulnerable to short-run political interests but that appointed judges are more responsive to the demands of those interest groups with which they develop long-term ties (Sosin, 1977). Elected judges, vulnerable to short-term community pressures, might order intake workers to handle more cases formally and to commit more cases; if a juvenile who does not

receive strict handling in court later commits a serious crime, the judge might suffer an election defeat. Appointed judges, more amenable to the long-term interests of child advocates and less vulnerable to short-range pressures, might, in comparison, order intake workers to handle more cases informally and might commit fewer youth.

The Social View

A second perspective, based on traditional organizational concepts and now regaining popularity, derives from the social view of organizational behavior (Meyer, 1978). In brief, this approach claims that formal units respond to demands of internal and external forces that are oriented not toward specific, rational ends, but toward symbolic, socially appropriate behavior. For example, one recent study argues that the bureaucratic form of organization is often adopted not to meet demands for effectiveness, but to meet the societal expectations that a proper organization is bureaucratic (Meyer and Rowan, 1977).

Two hypotheses can be derived from the social view:

Hypothesis 4. The higher the percentage of time judges spends in juvenile matters, the higher the rate of informal handling and the lower the rate at which judges commit those cases that come before them.

Hypothesis 5. The rate of informal handling and the rate of commitment of formal cases vary with the type of court to which a juvenile court is attached.

a. When juvenile courts are attached to courts with complex jurisdictions, the rate of informal handling is higher and

the rate at which formal cases are committed is lower.

b. When juvenile courts are attached to courts with criminal jurisdiction the rate of informal handling is higher and the rate at which formal cases are committed is higher.

c. When juvenile courts are attached to misdemeanor courts the rate of informal handling is higher and the rate at which formal cases are committed is lower.

d. When juvenile courts are attached to courts with small civil jurisdiction, the rate of informal handling is lower and the rate at which formal cases are committed is lower.

Hypothesis 4 is based on the notion that special social interests accrue to judges who spend a greater time in juvenile matters. Previous research suggests that these judges view themselves as specialists and attempt to keep in line with the most modern trends in court administrative philosophy (Sosin, 1977). It thus seems likely that judges who spend a greater amount of time in juvenile matters will encourage the intake staff to utilize informal handling more often, and will commit fewer youth who come before them for recognition of the need to minimize the extent to which youth penetrate into the justice system is a recent, highly regarded trend in juvenile justice administration (Schur, 1973).

Hypothesis 5 suggests that juvenile court behavior is based on social interests that result from the judicial environment established by the other types of cases that are heard in the local court to which juvenile courts are attached. That is, when the juvenile court idea first gained popularity, such

courts were often attached to other, preexisting courts, and the pattern of attachment might continue to influence the way the juvenile organizations operate. For example, some of the local courts, such as those with unlimited civil, unlimited criminal, or appellate jurisdiction are highly complex, as they handle many types of cases. In a complex court it is likely that many cases are screened in order to systematize and set priorities for the judge's time. If one accepts the social view of organizations, one would expect juvenile courts that are attached to complex local courts to follow the pattern and handle more cases informally. It is also possible--although perhaps more questionable--that juvenile courts with such an attachment commit fewer of those youth who are handled formally, following the pattern established in complex courts of making many distinctions among levels of seriousness.

Social factors might also operate when juvenile courts are attached to courts that hear serious criminal cases. Criminal courts may also do more screening in order to separate the quite serious cases from the technical legal violations; such courts might commit a higher percentage of cases that appear in hearings, given the seriousness of the offenses that reach the hearing stage. Under the social assumption one would predict that juvenile courts attached to criminal courts handle more cases informally and commit a higher proportion of those youth handled formally.

Misdemeanor and small civil jurisdictional environments might also affect the operation of juvenile courts. Misdemeanor courts, which handle such minor offenses as ordinance violations, apparently often screen and dismiss cases and dispense relatively mild dispositions (Hindelang et al., 1977). One might expect juvenile courts attached to these units to screen heavily, to have high rates of informal handling as a consequence, and to have low formal commitment rates.

Small civil courts (for example, small claims courts), in contrast, apparently usually encourage formal court hearings (Sarat, 1976), and juvenile courts attached to these units might follow the pattern and also handle fewer cases informally. However, because small civil cases seldom result in harsh dispositions, it is possible that juvenile courts attached to these units follow the social trend and commit few of those youth who come to a formal hearing.

SAMPLE AND OPERATIONALIZATION

To test the five hypotheses, 1974 data collected by the National Assessment of Juvenile Corrections (1976) are useful. The data include a random sample of those juvenile courts in counties with more than 50,000 people. Four hundred counties were sampled and questionnaires were sent to the 600 courts within them believed to have juvenile jurisdiction. To insure the representation of the larger urban courts in the analysis, questionnaires were also sent to any of the twenty largest cities in the country that did not fall into the random sample.

Two sets of questionnaires, those sent the judges and administrators, are relevant here. Judges were asked about the organization of the juvenile court, the amount of time they spent on juvenile matters, and whether they were elected, appointed, or first appointed and then later elected. The questionnaire sent to administrators contains the statistical information used to calculate the commitment rate and its components, as well as information concerning influence of the police at intake.

277 judges with juvenile jurisdiction and 237 administrators responded to the questionnaire, for an uncorrected response rate of about 40%. However, it was later determined that a large number of those courts to which question-

naires were sent out did not exercise their theoretical juvenile jurisdiction. Using telephone contacts, written materials, and letters from courts, a large number of units were removed from the potential sample, bringing the actual response rate up to 60% of those eligible judges and 58% of eligible administrators surveyed.

State and local statistical reports were used to supplement the statistics available in administrator questionnaires. Such an examination added statistics from 141 courts, raising the response to some administrator questions to 378, or 80% of the adjusted sample. In addition, demographic data gathered on a county basis were combined with the questionnaire information. Population size and crime rate, already mentioned in this paper, were among the items included.

Information concerning the jurisdiction of the local unit that included the juvenile court was also coded for every court in which administrator data or statistics were available. The data were coded in binary form, indicating whether each court unit had jurisdiction over any of a list of types of cases.[2]

Court statistics and jurisdictional information represent unbiased samples of juvenile courts to which questionnaires were sent but the administrators' and judges' questionnaires slightly overrepresent the more populous (and more urban) counties. Further, given that there were multiple sources of data, the number of complete cases varies widely from variable to variable. This variation may not cause significant problems; the correlation and regression coefficients that are reported below appear to be quite stable, regardless of the sample size available in a given computer run.

Rates of Commitment

Hypothesis 1 looks at the interrelations between the percentage of cases handled informally, the percentage of cases handled formally that result in

commitment, and the overall rate of commitment. The three relevant rates are reported in Table 1. The informal rate is defined as the percentage of all juvenile court cases that is handled informally. The formal commitment rate is defined as the percentage of those formal hearings that result in commitment. The overall commitment rate, is defined as the percentage of all juvenile court cases that result in commitment. In calculating the last two rates, commitment to an institution, to a state agency, or to a private, out-of-home placement were considered to be equivalent. Commitment to an institution or to a state agency are usually alternate procedures designed to achieve the same end (procedures vary by state), and commitment to a private facility still constitutes a loss of freedom. In fact, these categories were sometimes combined in the available data, and distinguishing the types of commitment would reduce the total number of cases with which the research could work. Even so, there are many more cases for which the informal rate is known than for which the commitment rate is known.

It is important to note that the variance of the three rates differ dramatically. The informal rate has a rather large variance, and in fact has a nearly even distribution over the entire possible range. However, the formal commitment rate has much less varaince, and the overall commitment rate has the least variance. The empirical results that are reported below explain a larger percent of the variance in the informal rate than in the other rates, and it is possible that the range of this variable contributes to the relative ease of explanation.

Independent Variables

The independent variables used to test hypotheses 2 through 5 are straightforward operationalizations of the concepts mentioned. The independent variable

Table 1

Rate of Juvenile Court Case Processing

Rate	Mean	Standard Deviation	Variance	N
Informal	.483	.311	.097	336
Formal Commitment	.135	.104	.011	253
Overall Commitment	.053	.050	.003	231

Note: The informal rate is the percentage of all juvenile court cases handled informally; the formal commitment rate is the percentage of formal hearings that result in commitment; the overall commitment rate is the percentage of all juvenile court cases that result in commitment.

that tests hypothesis 2, influence of the referral agency at intake is operationalized from a four-point scale (4 representing the highest degree of influence) on which administrators rated how much influence certain court actors have. The average influence of the referral agency is 2.72. The independent variables used in hypothesis 3, status of the judge, are operationalized as binary variables using information from the judge questionnaire. Slightly over one-third of the judges say they were appointed, while a third claim to be elected. There is a third category, judges who are first appointed and then later elected. This category is ignored here because the multivariate regression analysis used in this paper cannot work with variables representing all three methods of attaining office; perfect multicollinearity would result, making data analysis statistically impossible. The effect of this arrangement, which is minimal, can be guaged from multivariate results involving the other judicial statuses. Hypothesis 4 uses as its independent variable the percentage of time that judges reported they spent on juvenile matters. The average percentage reported is 46.5%. Jurisdiction (of area of law), used in hypothesis 5, is operationalized from those coded categories mentioned previously. Complex courts, those units which have a number of types of cases coming before them, are deemed to exist when the larger court which includes the juvenile court handles any of the following: appellate jurisdiction, unlimited civil jurisdiction, or unlimited criminal jurisdiction. Criminal jurisdiction exists in an overlapping set including unlimited criminal jurisdiction, felony jurisdiction, or appellate jurisdiction. The overlap between the two independent variables is large, so that one must look at partial correlations and regression coefficients in which both variables are present in order to test the hypotheses. Misdemeanor jurisdiction and small civil jurisdiction are operationalized directly

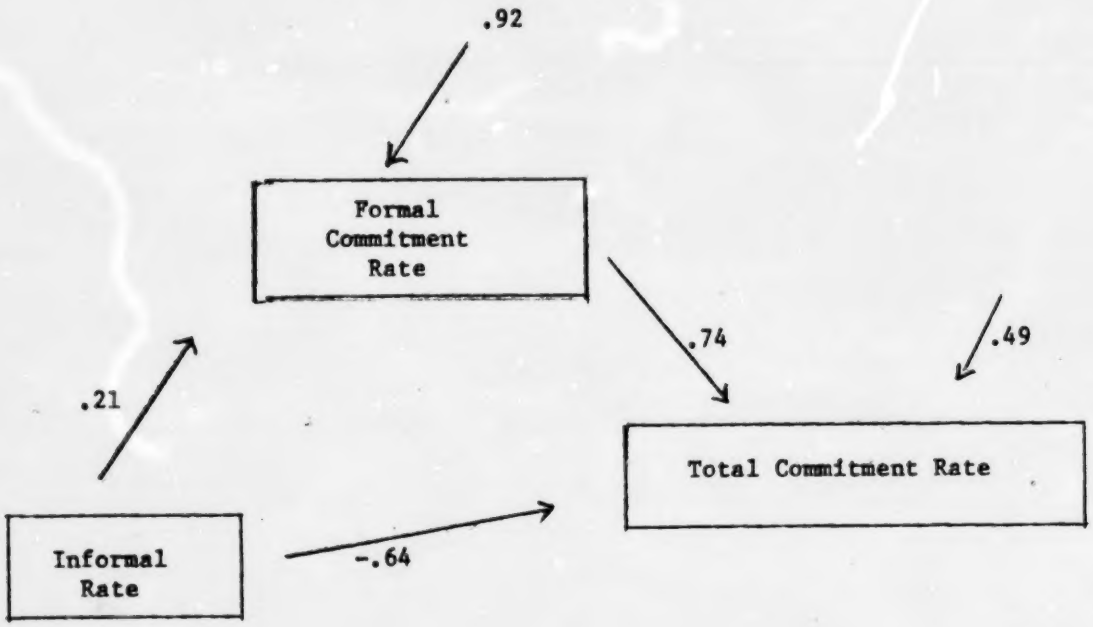
from the original coding. Of the courts, 43.4% have complex jurisdictions, 49.2% have criminal jurisdiction, 27.2% have misdemeanor jurisdiction, and 19.8% have small civil jurisdiction.

DATA ANALYSIS

The first hypothesis predicts that the overall rate of commitment to institutions is a function of two rates: the rate of informal handling and the rate of commitment at formal hearings. This hypothesis may be tested by a standard path diagram (Figure 1) that considers the relations between the three variables simultaneously. The path diagram assumes that the informal rate partly determines the formal commitment rate: when the informal rate is high, judges face more serious cases and thus commit a larger proportion of the youth who come before them. It also assumes that both the informal rate and the formal commitment rate affect the overall commitment rate.

According to Figure 1, the formal commitment rate is the more important determinant of the overall commitment rate, as the standard path coefficient between this variable and the overall commitment rate is .74, while the standard coefficient between the informal rate and the overall commitment rate is only -.64. In addition, a closer look suggests even a smaller role for the informal rate; while the informal rate has a direct, negative relation to the overall commitment rate, it has a counter-acting, indirect positive effect (β = .13), as it relates positively to the formal commitment rate (β = .21), which has a positive relation to the overall commitment rate. However, the balance of these opposing forces is such that the direct effect is much larger than the indirect effect.

Figure 1. **Path Diagram: Relation between Informal Rate, Formal Rate** and Total Commitment Rate (Standardized Paths)



When partial correlation coefficients, rather than standardized path coefficients, are used, the relation between each of the two independent variables and the overall commitment rate is nearly identical, standing at -.78 for the informal rate and .89 for the formal commitment rate. Partials demonstrate a more equal effect for the two indicators than the path diagram because the informal rate has more variance, so that it explains a large amount of change in the overall commitment rate due to its range.

As is true whenever multiple indicators of the same set of relations exist (Jencks et al, 1972), different perspectives lead to somewhat different explanations of the results. However, both sets of numbers underscore the main point, that informal handling and formal commitments have independent impacts on the overall commitment rate. Therefore the first hypothesis is supported and the desirability of searching for correlates at each of two stages is confirmed.[3]

Variation In Rates

Hypotheses 2 through 5 predict relations between a series of variables and the informal rate and the formal commitment rate. Because some of the independent variables may be causally related to each other, and because correlations among these factors might mask or alter some relations, it is best to avoid the use of simple measures of association. Rather, the hypotheses are best tested with multivariate techniques; the simple correlations are reported in the Appendix.

In undertaking multivariate analysis it is useful to view the variables as part of a causal chain. The predetermined variables, those elements that are beyond the purview of juvenile courts, include the judge's elected or appointed

status (hypothesis 3), the percentage of time the judge spends in juvenile matters (hypothesis 4), and the jurisdictional environment (hypothesis 5). All of these factors may be viewed as possible causes of the influence of the referral agency at intake (hypothesis 2), for influence might be a function of preestablished power and social arrangements. Influence of the referral agency and the predetermined variables can be viewed as causes of the informal rate, as predicted. These independent variables can also be viewed as causes of the formal commitment rate. However, the formal commitment rate is partly a function of the informal rate, and this variable must also be considered.

This chain can be represented by a series of multiple regressions by which each set of items is regressed on its predicted effects. Equations include the multiple regression of the predetermined variables on the influence of the referral agency at intake, the multiple regression of the predetermined variables and influence of the referral agency on the informal rate, and the multiple regression of all of these variables on the formal commitment rate. The relevant standardized regression coefficients are presented in Table 2. Each step in the chain may be discussed separately.

1. The predetermined variables explain a moderately high 19% of the variance in the influence of the referral agency at intake. Only the elected status of the judge has a statistically significant relation to this dependent variable in the regression equation; when judges are elected, the referral agency has less power ($\beta = -.22$). However, this equation masks other relations. When only the elected status of the judge, criminal jurisdiction, misdemeanor jurisdiction, and the appointed status of the judge are included in one equation, the first three variables have statistically significant relations to influence, and the explained variance is not affected. In this equation the relation between elected status and influence of the referral agency

Table 2

Relation of Rates of Handling Youth to Other Variables, Standard Regression Coefficients

	Influence of the Referral Agency at Intake	Informal Rate	Formal Commitment Rate
Judge appointed	-.15	-.28**	-.12
Judge elected	-.22**	-.03	.11
P rcentage of judge's time spent in juvenile matters	-.06	.14*	-.20**
Complex jurisdiction	-.13	.38**	.03
Criminal jurisdiction	-.21	-.03	-.08
Misdemeanor jurisdiction	.14	.63**	-.18
Small civil jurisdiction	.03	-.58**	.07
Influence of the referral agency at intake		-.27**	.16
Informal rate			.25**
R^2	.19	.39	.16
N	148	148	148

Source: Data from National Assessment of Juvenile Corrections, 1976

Significance levels: *p < .05

**p < .07

at intake is unchanged, criminal jursidiction relates negatively to the dependent variable ($\beta = -.32$), while misdemeanor jurisdiction relates positively to influence ($\beta = .18$). Perhaps elected judges, involved with pressing local political problems, are more concerned about the prosecutor's office or even the point of view of defense attorneys, and thus give (and convince other workers to give) less influence to the referral agency. Misdemeanor courts might rely heavily on police reports, while criminal courts might have other sources of information; the high influence of the referral agency in juvenile courts attached to the former and the low influence of this agency in courts attached to the latter might well reflect the larger court context.

2. The dependent variables explain a rather large 39% of the variance in informal handling, and all but three of the predicted relations hold. As predicted, jurisdictional environments involving complex jurisdictions and misdemeanor jurisdictions relate to a higher informal rate ($\beta = .38$ and .63, respectively), while small civil jurisdictional environments relate to a lower informal rate ($\beta = -.58$).[4] Criminal jurisdiction has no effect, even though there is a simple correlation between this variable and the informal rate; apparently the simple correlation is statistically significant because criminal jurisdiction is highly correlated to complex jurisdiction ($r = .87$), which does relate significantly to the informal rate in the multivariate analysis.[5]

There are other statistically significant relations, as both the influence of the referral agency and the appointed status of the judge have a statistically significant negative relation to the informal rate ($\beta = -.28$ and $-.27$, respectively), while the percentage of time a judge spends in juvenile matters has a positive statistically significant relation to this dependent variable ($\beta = .14$). However,

the elected status of the judge does not relate to the informal rate in a statistically significant manner.

In actuality, three predicted relations do not occur, as criminal jurisdiction and the elected status of the judge demonstrate no significant relation to the dependent variable, while the appointed status of the judge, which was expected to relate to a higher informal rate, relates to a lower informal rate. Perhaps criminal jurisdiction has no effect because criminal courts do not have the assumed higher rate of screening if complex jurisdiction is controlled; this jurisdictional environment might not have the type of screening that the juvenile court was expected to emulate. The lack of a relation involving elected judges, and the reversed relation involving appointed judges, indicate that the original notions concerning vulnerability may have been misstated, as environmental pressures to handle cases formally or informally may not actually exist. Rather, it is possible that most judges desire to handle a large proportion of cases formally in order to maximize their control over case dispositions, and that appointed judges are associated with courts having a lower informal rate because these judges are most successful in carrying out their wishes. In other words, results concerning the status of the judge may indicate that the power model is useful, but that the original hypothesis miscalculated the sources of power and vulnerability.

The most important point of the analysis of the informal rate is that many predictions are supported, giving rise to a quite high explained variance. Significant relations support hypotheses involving the influence of the referral agency, the time spend in juvenile matters, and (in three of four cases) jurisdictional environment. The hypothesis involving judicial status was found to be incorrect, but it appears that this variable is related to the informal rate in a manner that is consistent with a power analysis.

3. About 16% of the variance in the formal commitment rate is explained by the independent variables. The informal rate correlates positively with the formal commitment rate ($\beta = .25$), while judges who spend more time in juvenile matters are found in courts with a statistically significant lower formal commitment rate, as expected ($\beta = -.20$). Further, although the reported equation does not indicate it, elected judges exist in courts with a statistically significant higher commitment rate, while appointed judges exist in courts with a statistically significant lower rate. The relations involving judicial status do not appear in the final equation because the two statuses cancel out each other's regression coefficient (taken separately, $\beta = .16$ and $-.19$).

Therefore, the variables succeed in explaining a substantial proportion of the variance in the formal commitment rate, and two of the four hypotheses are supported. There are small, predicted relations involving judicial status and the percentage of time a judge spends in juvenile matters, while neither the influence of the referral agency nor jurisdictional environment play a role. Perhaps the failure of the latter two hypotheses occurs because judges are powerful enough to ignore the referral agency and the judicial environment.

INTERPRETATION

It is perhaps the most usual approach to begin any inquiry concerning any institution from a rational perspective which assumes that organizational behavior can be explained by goals and rational adaptations to the environment. Later, after the limits of this perspective become apparent, less rational models may be proposed. The analysis of juvenile court commitment rates is consistent

with this pattern as it rejects the goal and external adaptation argument and instead finds data that support social and (self-interest) power models.

The final multivariate model demonstrates the importance of social and power factors at each stage. The influence of the referral agency at intake--a power concept in itself--is partly determined by two measures of jurisdictional environment, suggesting that social factors affect the role played by the referral agency. In addition, the power view is supported by the statistically significant relation between judicial status and influence.

Social factors apparently are quite important in determining the informal rate. Juvenile courts in complex or misdemeanor jurisdictional environments have a higher rate of informal handling, apparently because the nature of the court to which they are attached suggests a higher rate. Similarly, the jurisdictional environment of juvenile courts attached to small civil courts apparently relate to lower rates of informal handling. Further, another social factor, the percentage of time a judge spends in juvenile matters, is also important, perhaps because judges who are specialists believe that informal handling is more appropriate and convince court workers to handle more cases informally.

The power view is also supported in this analysis of the informal rate, as the influence of the referral agency and the appointed status of the judge relate to lower rates of informal handling. As has been mentioned, the first relation may reflect the attempts that referral agencies make to lobby for formal handling, while the second may result from the desire and ability of appointed judges to maximize control over the court.

The formal commitment rate is partly explained by three different perspectives. First, judges tend to commit a higher percentage of cases when there is more informal handling, perhaps because they base their decisions to some

degree on offense, and higher rates of informal handling lead to mainly the more serious cases appearing in court. However, it must be pointed out that sensitivity to informal rates is not great, as the standardized regression coefficient between the informal rate and the formal commitment rate is only moderate. The second perspective explaining the formal commitment rate is social in nature, as specialized judges commit a smaller percentage of smaller cases, perhaps because they are caught up in the recent arguments that commitment is undesirable. Finally, the power view is also supported, as the status of the judge relates to the formal commitment rate. Apparently elected judges commit more youth in order to avoid outside pressure, while appointed judges, not as closely bound to political pressures, commit fewer youth.

Assuming that the presumed causal relations exist, the analysis of organizational causes of variation in commitment rates suggests that courts are quite heavily influenced by factors that are not administratively rational. For example, while administrative rationality would suggest that the informal rate and the formal commitment rate are strongly related because judges commit a higher percentage of youth when they are sent only serious cases, the relation is actually quite small. When this is combined with the fact that the crime rate does not influence the informal rate (so that it cannot be argued that the informal-formal commitment relation is small because of previous selection), there is a strong implication that judges commit a proportion of those youth who come before them that does not reflect how serious the average offense is. Perhaps, as a Durkheimian (1938) approach suggests, judges believe that a certain percentage of commitments is desirable in order to protect the public order, and they commit this percentage, regardless of the range of

offenses presented to them. Whatever the case, the small relation appears to suggest large degrees of nonrational behavior.

Results concerning informal handling further underscore this point. The longer relation between the informal rate and the overall commitment rate implies that intake workers, who are not usually appointed in the open manner in which judges are selected, are crucial in determining the commitment rate. In addition, social and power factors are important in their pattern of decision-making, as is apparent from empirical results concerning hypotheses 2 through 5. In sum, lower-level officials make crucial decisions, and they make these decisions in manners that to a surprisingly large degree reflect "nonrational" social and power environments.

Of course, the variables tested with respect to hypotheses 2 through 5 leave much of the variance unexplained, and cannot be viewed as a complete model of the commitment procedure. However, they explain comparatively rather large proportions of the variance. The best studies of individual-level determinants of dispositions explain 15% of the variance; the current study explains 38% of the variance in informal rates and 16% of the variance in formal commitments. Power and social factors, along with the court process itself, explain commitment rates to a comparatively large degree.

THE CHARACTER OF JUVENILE COURTS AND THE NATURE OF DISCRETION IN PUBLIC ORGANIZATIONS

What do these results tell us about juvenile courts and public organizations in general? Perhaps one central point concerning juvenile courts is that these institutions should not be viewed solely as rational bureaucracies that respond to goals and to specific community interests. Rather, assuming that the correlates of commitment can be generalized, it is more accurate to look at these

units partly as natural systems that act in patterns related to social and political interests. This view of the juvenile courts might demonstrate some validity because of the special position these institutions have in society. Juvenile courts are not "core" institutions in the sense that they are under intense scrutiny by those at the centers of power. Perhaps, then, they react so significantly to social and power interests because there are few external pressures to demand more rational accountability.

In view of the wide discretion given to juvenile courts by law and custom, it is possible to argue that the social and political forces that operate in this one type of public organization do not structure discretion in other public organizations. However, a large number of public bureaucracies actually have similar levels of discretion and might well use similar social and political forces in structuring their decisions; welfare bureacracies, other public social service organizations, and even educational institutions quickly come to mind. It is even possible to argue that many public regulatory agencies are so well buffered from public view and have such a large legal latitude that they respond to social and political forces in a similar sense (Davis, 1971; Jowell, 1975). This suggests a novel approach to understanding regulation and public administrative control in general. Rather than explaining the lack of effectiveness of the units by pointing to cooptation by powerful groups, the analysis suggests that a buffering from major groups and a reliance on local ties due to a lack of external pressures is a more likely explanation. In short, perhaps the broad discretion given to many public bureaucracies results in conduct that, while not arbitrary in the conventional sense of the term, is based on social and power factors more than on rational interests.

APPENDIX: SIMPLE CORRELATIONS

	Informal Rate	Formal Commitment Rate	Overall Commitment Rate	Influence of Referral Agency at Intake	Judge Appointed	Judge Elected	Judge Percent Time in Juvenile Matters	Complex Jurisdiction	Criminal Jurisdiction	Misdemeanor Jurisdiction
Formal commitment rate	.21	-								
Overall commitment rate	-.48	.61	-							
Influence of referral agency at intake	-.36	.01	.31	-						
Judge appointed	-.18	-.27	-.10	.06	-					
Judge elected	.05	.19	.08	.03	-.53	-				
Judge percent time in juvenile matters	.02	-.21	-.11	.04	-.18	.07	-			
Complex jurisdiction	.34	.12	-.21	.33	.36	-.03	-.02	-		
Criminal jurisdiction	.33	.09	-.18	-.36	.38	-.05	.06	.88	-	
Misdemeanor jurisdiction	-.04	-.06	.04	.31	-.24	.05	-.27	-.40	-.48	-
Small civil jurisdiction	-.27	-.03	.18	.17	.07	-.12	-.13	-.14	-.20	.63

NOTES

[1]The influence of other actors is not included in the hypotheses because some of these actors (such as probation officers and judges) have ambiguous goals, while others have conflicting aims that cancel each other out. The influence of prosecutors and defense attorneys, for instance, correlate quite highly, making analysis difficult.

[2]My thanks to Barbara Kessler.

[3]To be more exact, there is an identity between the three relations, as (1 - informal rate) X (formal commitment rate) = (overall commitment rate). Taking logs, log(1 - informal rate) + log(formal commitment rate) = log(overall commitment rate). This equation can be estimated using standard path analysis. When it is, the results parallel those reported in the text, as the relation between the transformed informal rate and the transformed formal commitment rate is unchanged (-.21); the relation between the transformed informal rate and the transformed overall commitment rate is .71; while the relation between the transformed formal commitment rate and the transformed overall commitment rate is .90. Logs are not used in the body of the paper because all the numbers are rates, so that logs both increase variance artificially and force the researcher to work with negative numbers that vary in opposite direction from the nontransformed variables.

[4]Because the results involving the relation between jurisdictional environment and informal handling might be considered suspect, an attempt was made to rule out an alternate explanation. It might be aruged that the

crucial variable is the structure of intake, and that jurisdictional environment simply stands in for such structure. Some measures of intake structure do correlate significantly to informal handling, as clerk (r=-.28) and secretary (r=-.22) control of intake correlate with lower rates of informal handling. However, when jurisdictional environment and intake structure are placed in the same regression equation (even using one intake variable at a time), the relation between intake structure and informal handling becomes statistically insignificant (r=-.03 in both cases). Complex jurisdictional environments have large correlations with intake structure and thus may cause the reduction in relationships, perhaps indicating that intake structure is one mechanism by which the complex jurisdictional environment is translated into actual operations.

[5]Taken together, the four variables account for 27% of the variance in the informal rate.

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